

DOCUMENTS UNDER SEAL ☐

DOCUMENT NUMBER:

<b>MAGISTRATE JUDGE</b> <b>MINUTE ORDER</b>	<b>DEPUTY CLERK</b> Ivy Lerma Garcia	<b>REPORTER/FTR</b> FTR 7/24/07 12:18:44-12:41:46
<b>MAGISTRATE JUDGE</b> HON. WAYNE D. BRAZIL	<b>DATE</b> 7/24/07	<b>NEW CASE</b> <input type="checkbox"/>
		<b>CASE NUMBER</b> CR-07-00384-WDB

**APPEARANCES**

<b>DEFENDANT</b> KENNETH BRANCHE	<b>AGE</b>	<b>CUST</b> No	<b>P/NP</b> P	<b>ATTORNEY FOR DEFENDANT</b> Joyce Leavitt	<b>PD.</b> <input checked="" type="checkbox"/> <b>RET.</b> <input type="checkbox"/> <b>APPT.</b> <input type="checkbox"/>
<b>U.S. ATTORNEY</b> Shashi Kewalramani and Adam Lowry	<b>INTERPRETER</b> None	<input type="checkbox"/> <b>FIN. AFPT</b> <b>SUBMITTED</b>	<input type="checkbox"/> <b>COUNSEL APPT'D</b>		
<b>PROBATION OFFICER</b> None	<b>PRETRIAL SERVICES OFFICER</b> Victoria Gibson	<b>DEF ELIGIBLE FOR</b> APPT'D COUNSEL <input type="checkbox"/>	<input type="checkbox"/> <b>PARTIAL PAYMENT</b> <b>OF CJA FEES</b>		

**PROCEEDINGS SCHEDULED TO OCCUR - ( IF NOT HELD TYPE NH IN TIME FIELD)**

<input type="checkbox"/> <b>INITIAL APPEAR</b> time	<input type="checkbox"/> <b>PRELIM HRG</b> time	<input type="checkbox"/> <b>MOTION</b> time	<input checked="" type="checkbox"/> <b>JUGMT &amp; SENTG</b> 11 Mins HELD	<input checked="" type="checkbox"/> <b>STATUS RE: CONSENT</b> 3 Mins HELD
<input type="checkbox"/> <b>I.D. COUNSEL</b> time	<input type="checkbox"/> <b>ARRAIGNMENT</b> time	<input type="checkbox"/> <b>BOND SIGNING</b> time	<input type="checkbox"/> <b>IA REV PROB. or</b> S/R	<input type="checkbox"/> <b>BAIL REVIEW</b> time
<input type="checkbox"/> <b>DETENTION HRG</b> time	<input type="checkbox"/> <b>ID/REMOVAL HRG</b> time	<input checked="" type="checkbox"/> <b>CHANGE PLEA</b> 9 Mins HELD	<input type="checkbox"/> <b>PROB. REVOC.</b> time	<input type="checkbox"/> <b>SUP REL HRG</b> time

**INITIAL APPEARANCE**

<input type="checkbox"/> <b>ADVISED</b> <b>OF RIGHTS</b>	<input type="checkbox"/> <b>ADVISED</b> <b>OF CHARGES</b>	<input type="checkbox"/> <b>NAME AS CHARGED</b> <b>IS TRUE NAME</b>	<input type="checkbox"/> <b>TRUE NAME:</b> JUL 24 2007
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**ARRAIGNMENT**

<input type="checkbox"/> <b>ARRAIGNED ON</b> <b>INFORMATION</b>	<input type="checkbox"/> <b>ARRAIGNED ON</b> <b>INDICTMENT</b>	<input type="checkbox"/> <b>READING WAIVED</b> <b>SUBSTANCE</b>	<input type="checkbox"/> <b>WAIVER</b> <b>CLERK'S OFFICE</b> NORTHERN DISTRICT OF CALIFORNIA OAKLAND
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**RELEASE**

<input type="checkbox"/> <b>RELEASED</b> <b>ON O/R</b>	<input type="checkbox"/> <b>ISSUED</b> <b>APPEARANCE BOND</b>	<b>AMT OF SECURITY</b> \$	<b>SPECIAL NOTES</b>	<input type="checkbox"/> <b>PASSPORT</b> <b>SURRENDERED</b> <b>DATE:</b>
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<b>PROPERTY TO BE POSTED</b> <input type="checkbox"/> <b>CASH</b> \$	<b>CORPORATE SECURITY</b> <input type="checkbox"/>	<b>REAL PROPERTY:</b> <input type="checkbox"/>
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<input type="checkbox"/> <b>MOTION</b> <b>FOR</b> <b>DETENTION</b>	<input type="checkbox"/> <b>PRETRIAL</b> <b>SERVICES</b> <b>REPORT</b>	<input type="checkbox"/> <b>DETAINED</b>	<input type="checkbox"/> <b>RELEASED</b>	<input type="checkbox"/> <b>DETENTION HEARING</b> <b>AND FORMAL FINDINGS</b> <b>WAIVED</b>	<input type="checkbox"/> <b>REMANDED</b> <b>TO CUSTODY</b>
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ORDER REMOVED TO THE DISTRICT OF

**PLEA**

<input checked="" type="checkbox"/> <b>CONSENT</b> <b>ENTERED</b>	<input type="checkbox"/> <b>NOT GUILTY</b>	<input checked="" type="checkbox"/> <b>GUILTY</b>	<b>GUILTY TO COUNTS:</b> <input type="checkbox"/>
<input checked="" type="checkbox"/> <b>PRESENTENCE</b> <b>REPORT ORDERED</b> <b>WAIVED BY THE DEFT.</b>	<input type="checkbox"/> <b>CHANGE OF PLEA</b>	<input checked="" type="checkbox"/> <b>PLEA AGREEMENT</b> <b>FILED</b>	<b>OTHER:</b>

**CONTINUANCE**

<b>TO:</b>	<input type="checkbox"/> <b>I.D. COUNSEL</b>	<input type="checkbox"/> <b>BOND</b> <b>SIGNING</b>	<input type="checkbox"/> <b>STATUS RE:</b> <b>CONSENT</b>	<input type="checkbox"/> <b>STATUS/TRIAL SET</b>
<b>AT:</b>	<input type="checkbox"/> <b>SUBMIT FINAN.</b> <b>AFFIDAVIT</b>	<input type="checkbox"/> <b>PRELIMINARY</b> <b>HEARING OR</b>	<input type="checkbox"/> <b>CHANGE OF</b> <b>PLEA</b>	<input type="checkbox"/> <b>BAIL REVIEW</b>
<b>BEFORE HON.</b>	<input type="checkbox"/> <b>DETENTION</b> <b>HEARING</b>	<input type="checkbox"/> <b>ARRAIGN-</b> <b>MENT</b>	<input type="checkbox"/> <b>MOTIONS</b>	<input type="checkbox"/> <b>JUDGMENT &amp;</b> <b>SENTENCING</b>
<input type="checkbox"/> <b>TIME WAIVED</b>	<input type="checkbox"/> <b>TIME EXCLUDABLE</b> <b>UNDER 18 § USC</b> 3161	<input type="checkbox"/> <b>IDENTITY/</b> <b>REMOVAL</b>	<input type="checkbox"/> <b>PRETRIAL</b> <b>CONFERENCE</b>	<input type="checkbox"/> <b>PROB/SUP.REL.</b> <b>REV. HEARING</b>

**ADDITIONAL PROCEEDINGS**

The Court adopted the sentencing recommendation of the gov't's and deft's attys. as set forth in the plea agreement in paragraph 15 on page 4. JUDGMENT: The deft. is sentenced to probation for a term of 2 years. The deft. shall comply with the standard conditions of probation & shall comply with the following spec. conditions: 1. The deft. shall pay to the U.S. a spec. assessment of \$25.00 due by 4:00 p.m. on 7/24/07, 2. The deft. shall pay restitution of \$2,000.00 to Fed. Emergency Mgmt. Agency (FEMA). The deft. claimed that he has already paid the full \$2,000.00 restitution to FEMA. The deft. must provide the Prob. Officer with proof of full payment of \$2,000.00 restitution with FEMA. If the deft. has not already paid the full \$2,000.00, he must pay restitution in monthly installments of \$100.00 per month in the 1st 5 days of Sept. 2007. Thereafter, payment is due by the fifth day of each month. 3. The deft. shall pay to the U.S. a fine of \$1,000.00 in monthly installments of \$50.00. His 1st monthly installment of \$50.00 is due sometime in the 1st 5 days of Sept. 2007; thereafter, payment is due by the 5th day of each month. SEE JUDGMENT FOR MORE PARTICULARS

cc: WDB's Stats, Probation